

### **REMARKS**

Reconsideration and allowance are respectfully requested in view of the following amendments and remarks. Claims 1-3, 6-15, 19, 21-35, 39-55, and 57-65 are pending in this application. Claims 4-5, 16-18, 20, 36-38, and 56 have been canceled without prejudice. Claims 59-61 have been withdrawn from further consideration.

Independent claims 1, 10, and 31 were amended to clarify that the wagering game is conducted locally at a player-operated gaming machine in a land-based casino, and that the audiovisual content is downloaded and represents a randomly-selected and dynamically generated outcome of the wagering game. Independent claim 52 was similarly amended to clarify that the audiovisual content is downloaded and represents a randomly-selected and dynamically generated outcome of the wagering game. Support for the amendments may be found throughout the application in general and at least in paragraph [0028].

No new matter was added as a result of the above amendments.

### **Rejection of the Claims**

Claims 1-3, 6-15, 21-23, 25-26, 32-35, 40, 42-43, 45-46, 51, 53-55, 58, and 62-65 continue to be rejected under 35 U.S.C. 102(e) as being anticipated by PCT Published Application No. WO0191866A1 (Harkham).

Claims 19, 24, 27-31, 39, 41, 44, 47-50, and 52, continue to be rejected under 35 U.S.C. 103(a) as being unpatentable over Harkham in view of US Published Application No. US20020087876A1 (Larose).

To the extent the rejections may be applied to the claims as amended, these rejections are respectfully traversed.

### **Arguments in Support of the Claims**

Independent claims 1, 10, and 31, as amended, recite that the wagering game is conducted locally at a player-operated gaming machine in a land-based casino, and that the audiovisual content is downloaded and represents a randomly-selected and dynamically generated outcome of the wagering game. Similarly, independent claim 52, as amended, recite

that the audiovisual content is downloaded and represents a randomly-selected and dynamically generated outcome of the wagering game.

Nowhere does Harkham disclose or suggest that audiovisual content is downloaded and represents a randomly-selected and dynamically generated outcome for a wagering game conducted locally on a player-operated gaming machine in a land-based casino. On the contrary, for these player-operated gaming machines (slot machines), Harkham merely discloses transmitting the statistics associated with the gaming machines (slot machines), not the audio and video content thereof. *See, e.g., p. 14, lines 3-15.*

Similarly, Larose merely discloses a remote software distribution process involving multiple versions of the software. In Larose, an initial software version with limited functionality is installed to determine whether security on a target platform is sufficient. If yes, a second software version with fuller functionality is installed on the target platform. *See, e.g., Abstract.* However, nowhere does Larose teach or suggest audiovisual content that is downloaded and represents a randomly-selected and dynamically generated outcome for a wagering game conducted locally on a player-operated gaming machine in a land-based casino. Accordingly, even assuming there is motivation to combine (which there is not), the resulting combination would not produce the claimed invention.

Accordingly, based on the foregoing, Applicant respectfully requests withdrawal of the rejections against independent claims 1, 10, 31, and 52 and all claims dependent therefrom.

As for dependent claims 2-3, 6-9, 11-15, 19, 21-29, 31-35, 39-51, 53-55, and 57-65, although they may recite independently allowable subject matter, these claims depend from independent claims 1, 10, 31, and 52, respectively, and are therefore allowable for at least the same reasons. Therefore, withdrawal of the rejections against the dependent claims is also respectfully requested.

**CONCLUSION**

In view of the above, it is believed that the currently pending claims are in condition for allowance, and the Examiner is respectfully requested to pass this application to issuance. If there are further questions or comments, the Examiner is invited to contact Applicant's representative at the telephone number indicated below.

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Respectfully submitted,

By: /Daniel G. Nguyen/

Daniel G. Nguyen

Registration No.: 42,933

JENKENS & GILCHRIST, A PROFESSIONAL  
CORPORATION

225 West Washington, Ste. 2600

Chicago, Illinois 60606

(713) 951-3354

Attorneys For Applicant